

AMENDED IN SENATE SEPTEMBER 11, 2009

AMENDED IN SENATE JULY 23, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 320**

**Introduced by Assembly Member Solorio**  
**(Coauthor: Assembly Member Fuentes)**  
(Coauthors: Senators Benoit and Huff)

February 18, 2009

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An act to amend Section 15820.917 of the Government Code, relating to county jails, ~~and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 320, as amended, Solorio. County jails: reentry facilities.

Existing law provides state financing for construction of county jails, subject to matching funds from counties, as specified. Existing law requires the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give funding preference for those purposes to counties that assist the state in siting reentry facilities, as specified.

This bill would require the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give coequal funding preference to counties that assist the state in either siting reentry facilities or providing existing beds and program space in county jails for use as reentry facilities. The bill would provide that a county

interested in providing reentry services to state inmates shall be required to enter into a long-term agreement with the department to provide those services and that the department shall certify that the proposed reentry services meet their approval.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote:  $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 15820.917 of the Government Code is  
2 amended to read:

3 15820.917. (a) Participating county matching funds for projects  
4 funded under this chapter shall be a minimum of 25 percent of the  
5 total project costs. The Corrections Standards Authority (CSA)  
6 may reduce matching fund requirements for participating counties  
7 with a general population below 200,000 upon petition by a  
8 participating county to the CSA requesting a lower level of  
9 matching funds.

10 (b) (1) The Department of Corrections and Rehabilitation  
11 (CDCR) and CSA shall give coequal funding preference to counties  
12 that assist the state in either siting reentry facilities or, subject to  
13 the requirements of paragraph (3), providing beds and program  
14 space in county jails for use as reentry facilities for prison inmates  
15 pursuant to Chapter 9.8 (commencing with Section 6270) of Title  
16 7 of Part 3 of the Penal Code.

17 (2) A county interested in providing reentry services to state  
18 inmates shall be required to enter into a long-term agreement with  
19 the CDCR to provide those services and the CDCR shall certify  
20 that the proposed reentry services meet their approval and the  
21 requirements of this subdivision.

22 (3) If the following requirements are met, a county shall be  
23 eligible for funding preference pursuant to this subdivision for  
24 providing beds and program space in county jails for use as reentry  
25 facilities for prison inmates:

26 (A) The beds and programs meet the reentry program facility  
27 requirements of Section 6272 of the Penal Code.

1 (B) The CDCR develops the collaborative partnership with local  
2 government, local law enforcement, and community service  
3 providers as required in Section 6273 of the Penal Code.

4 (C) The minimum number of beds in county jails to be used as  
5 reentry facilities for prison inmates shall be as follows:

6 (i) Any county with a general population at or above 500,000  
7 shall provide 500 jail beds to be designated and used exclusively  
8 as a reentry facility for prison inmates.

9 (ii) Any county with a general population below 500,000 shall  
10 provide at least as many jail beds to be used as a reentry facility  
11 for prison inmates as there are county jail beds funded under this  
12 chapter to be used for county jail inmates.

13 (D) Counties may meet the requirements of this paragraph with  
14 existing jail beds, future jail beds to be constructed with funding  
15 made available under this chapter, or a combination thereof.

16 (c) The CDCR shall give funding preference to counties that  
17 assist the state in siting mental health day treatment and crisis care,  
18 pursuant to Section 3073 of the Penal Code, and to counties that  
19 provide a continuum of care so that parolees with mental health  
20 and substance abuse needs can continue to receive services at the  
21 conclusion of their period of parole.

22 ~~SEC. 2. This act is an urgency statute necessary for the~~  
23 ~~immediate preservation of the public peace, health, or safety within~~  
24 ~~the meaning of Article IV of the Constitution and shall go into~~  
25 ~~immediate effect. The facts constituting the necessity are:~~

26 ~~As of July 2009, the prison inmate population totaled nearly~~  
27 ~~170,000. A federal three-judge panel has ruled that the California~~  
28 ~~prison system must reduce overcrowding by as many as 55,000~~  
29 ~~inmates within three years to provide a constitutional level of~~  
30 ~~medical and mental health care. In order to provide the prison~~  
31 ~~capacity needed, it is necessary that this act take effect~~  
32 ~~immediately.~~